Board of Zoning Appeals Thursday, August 18, 2005 Regular Meeting - 10:00 A.M. Phone # (937) 328-2495 County Office/Municipal Courts Building
Public Chambers
50 East Columbia Street, 5th Floor
Springfield, Ohio 45501

<u>AGENDA</u>

1. Minutes - July 21, 2005

Discussion & Action

BZA-2005-10 - Variance
 City Forest of Clark County
 2713 Lake Rd., south of 2581 Lake Rd.
 Bethel Township

Discussion & Action

3. BZA-2005-11 - Variance
Bill Morgan
1225 Whaley Road
Bethel Township

Discussion & Action

4. Adjournment

Action

Board of Zoning Appeals

Regular Meeting Thursday, July 21, 2005 County Office/Municipal Courts Building Public Chambers 50 E. Columbia Street, 5th Floor Springfield, Ohio

Chairman Perkins called the meeting to order at 10 a.m.

Present:

Mr. Rich Foster, Mr. Marvin Berschet, Mr. Wilfred Potter and Mr. Allen Perkins

Absent:

Mr. Lonnie Barclay

Also Present: Mr. Kelly Daniels, Clark County Zoning Inspector and other interested persons.

BZA-7-15-05 ~ Minutes ~ June 16, 2005

Motion by Mr. Foster, second by Mr. Berschet to approve the minutes as printed

VOTE: Motion carried unanimously.

<u>BZA-2005-09 ~ Variance ~ Keith and Claire Hoffman ~ 5119 S. Tecumseh Road ~ Mad River</u> Township.

Mr. Daniels explained the applicant was seeking a Variance of Chapter 2, Section A, Chapter 8, Section B of the Clark County Zoning Resolution. Said section requires a detached accessory building may be constructed in the front yard provided it is at least 300' from the road right-of-way. Granting the request would permit a detached accessory building to be constructed approximately 110' from the road right-of-way. The staff finds that topographical conditions applying to the land in question would create a hardship for the construction of a garage at any location other than the front yard.

Chairman Perkins swore everyone in at this time.

Mr. Hoffman explained he wanted to build a garage but due to the lay of the land there are not many options on the placement. He has lived their for 10 years and needs extra space for storage. The property is heavily wooded and hilly. He had letter from adjoining property owners stating they didn't have any problems with what he planned to do.

Chairman Perkins asked for a motion since there wasn't any rebuttal and the board members didn't have any comments or questions.

BZA Meeting	
7-21-05/Page #1	Index No

<u>BZA-7-16-05 ~ Variance ~ Keith and Claire Hoffman ~ 5119 S. Tecumseh Road</u> ~ <u>Mad River Township.</u>

Motion by Mr. Potter, second by Mr. Berschet to approve the Variance of Chapter 2, Section A, Chapter 8, Section B of the Clark County Zoning Resolution to permit a detached accessory building to be constructed approximately 110' from the road right-of-way.

VOTE: Motion carried unanimously.

Adjournment

BZA-7-17-05 - Adjournment

Motion by Mr. Potter, second by Chairman Perkins to adjourn the meeting.

VOTE: Motion carried unanimously.

The mee	ting was adj	ourned a	t 10:12 a.n	1.
Allen Pe	rkins, Chair	man		

BZA-2005-10 - Variance - Bethel Township City Forest of Clark County - 2713 Lake Rd. south of 2581 Lake Rd.

Date of Meeting:

August 18, 2005

TO:

Board of Zoning Appeals

FROM:

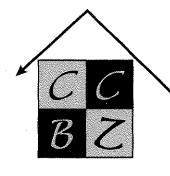
Planning Staff

APPLICANTS REQUEST:

The applicant is seeking a Variance of Chapter 2, Section B of the Clark County Zoning Resolution. Said section requires a rear setback of 50' for a dwelling on a building lot in the R-1 (Rural) Zoning District with public sewer only. Granting this request would permit a dwelling to be constructed on a R-1 (Rural) Zoning District lot with public sewer only, with a rear yard setback of 25'.

STAFFS ANALYSIS:

See attached letter of justification.



Clark County Zoning Regulations

937.328.2495 937.328.2621 fax email: bldgregs@co.clark.oh.us Garfield Building 25 W. Pleasant St Springfield, OH 45506 Dana R. Booghier
Director

August 10, 2005

Dear Applicant:

On **August 18, 2005**, the Board of Zoning Appeals will hold a **PUBLIC HEARING** at 10:00 a.m., in the County Commission Chambers of the County Office/Municipal Building, 50 E. Columbia Street, 5th Floor, Springfield, Ohio. The purpose of this hearing is to review your request for a Variance.

Your presence or a qualified representative is required. If your request is approved, there is a 30 day waiting period after the hearing.

If you or a representative are not present at the time of your hearing, your case will not be considered.

Sincerely.

Kelly Daniels

Zoning Inspector

la

JAMES F. PEIFER

ATTORNEY AT LAW SUITE 300, THE EDISON CENTER 20 SOUTH LIMESTONE STREET P.O. BOX 1087

SPRINGFIELD, OHIO 45501-1087 TELEPHONE 937-325-7365 TELEFAX 937-325-9584

THOMAS T. TAGGART (1926-1988) RICHARD H. WEHLER (1924-1992)

July 6, 2005

ATTN KELLY DANIELS CLARK COUNTY BOARD OF ZONING APPEALS 25 W PLEASANT ST SPRINGFIELD OH 45506

RE: Lake Road, Crystal Lakes, Ohio Variance Request for Lot Number 2, Parcel 1

Dear Mr. Daniels:

JOHN D. EMERICH

QUINTON R. DRESSEL

JAMES F. PEIFER

The undersigned is attorney for City Forest of Clark County, the Applicant for the abovereferenced variance. This letter is submitted to further describe the reasons for the requested variance. Transmitted with this letter is the application for variance, a list of property owners and their addresses within 200 feet of the property in question, a metes and bounds legal description of the lot, an accurate map depicting the lot in question and the required application fee.

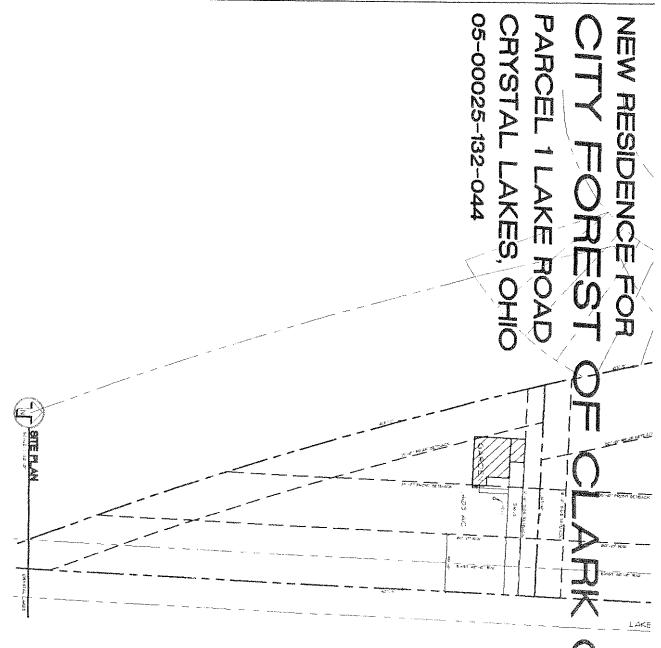
This application follows the application previously made in BZA Case No. BZA-2005-07 heard and approved by the Clark County Board of Zoning Appeals at its June 16, 2005 hearing. The purpose of the current request is to seek a variance from the rear setback requirement otherwise applicable to Parcel 1 as approved in BZA-2005-07. The history of how the applicant arrived at the posture that it is in is reflected in the explanatory letter dated May 6, 2005 accompanying BZA Case No. BZA-2005-07.

The applicant is seeking to obtain a variance for Parcel 1 as shown on the drawing accompanying the application from the required rear setback of 50 feet to reduce it to 25 feet. A drawing depicting the location of the proposed residence to be located on Parcel 1 is attached hereto and shows the need for the rear variance.

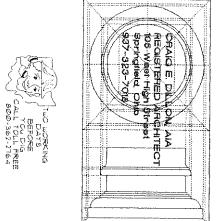
Also enclosed is a copy of the soil boring data relating to the lot. The data was previously submitted to you at the time of the previously mentioned BZA case on this matter. The applicant intends to the follow the proposal accompanying the data.

Enclosures

JFP/jac







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PROJECT FOR CITY FOREST OF CLARK COUNTY SCATTERED HOUSEG KERELD TORNING CLARK CO CLARK COUNTY

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Exhibit 72"

CRAIG E DILLON AIA, ARCHITECT

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FAX (937) 233-2016 FAX (419) 691-4805 FAX (606) 253-0183

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COMPANY: Craig E. Dillon ALA Architect	
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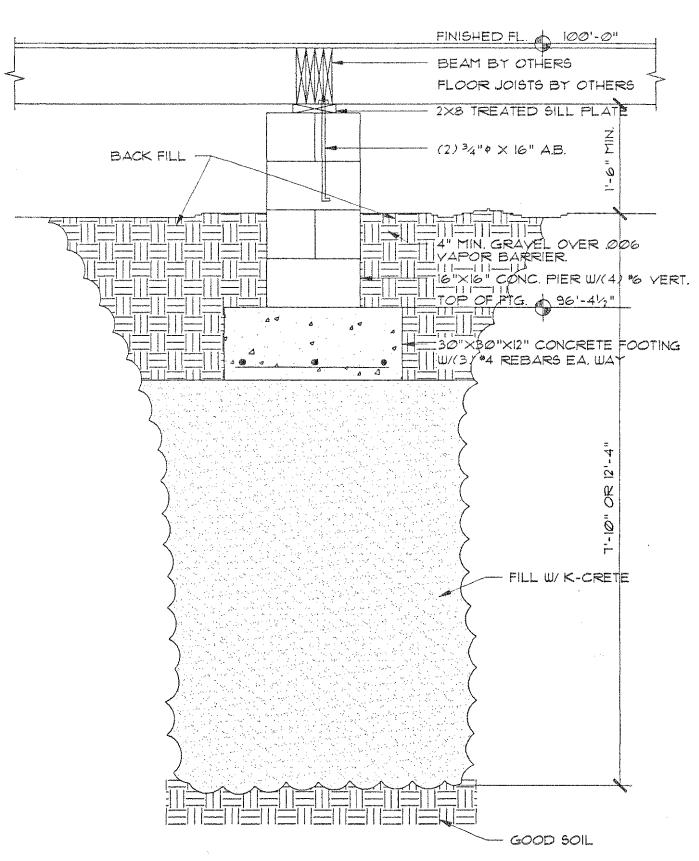
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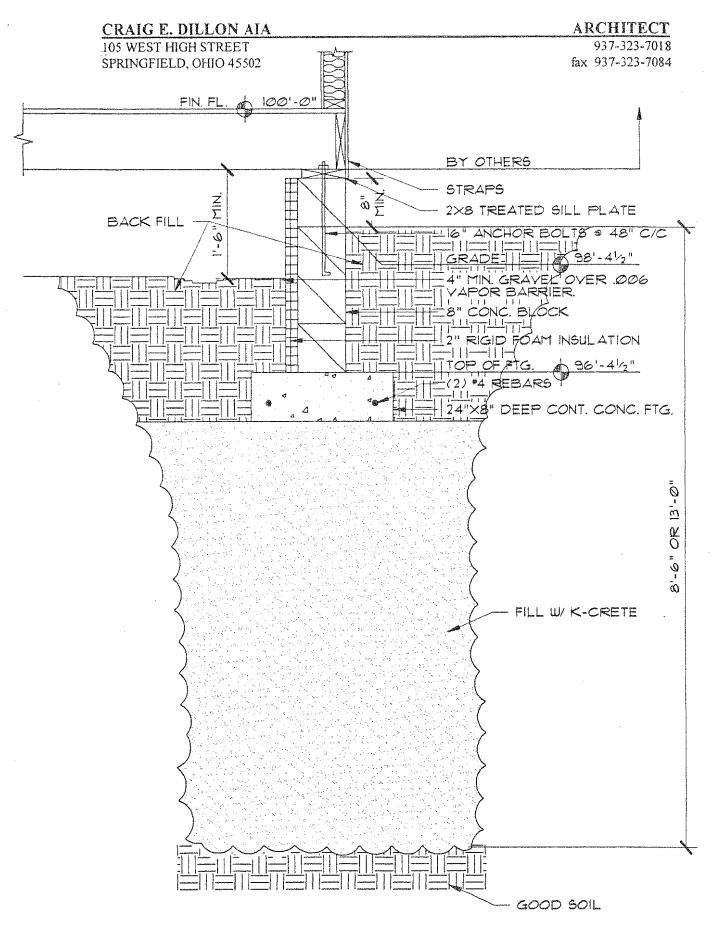
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105 WEST HIGH STREET SPRINGFIELD, OHIO 45502 937-323-7018 fax 937-323-7084



PIER FOUNDATION FOR LAKE ROAD



BZA-2005-11 - Variance - Bethel Township Bill Morgan - 1225 Whaley Road

Date of Meeting:

August 18, 2005

TO:

Board of Zoning Appeals

FROM:

Planning Staff

APPLICANTS REQUEST:

The applicant is seeking a Variance of Chapter 2, Section A, Chapter 10, Definitions of the Clark County Zoning Resolution. Said section requires an accessory building or use shall be located on the same zoning lot as the principal building or principal use served. Granting this request would permit an accessory building to be constructed on a building lot without a principal building.

STAFFS ANALYSIS:

The applicant has constructed a barn without obtaining zoning and building permits. The property is zoned A-1 (Agriculture) and no principal building exists on the 6.56 acre lot. Mr. Morgan has stated that the building will be used for horses and storage.



Clark County Zoning Regulations

937.328.2495 937.328.2621 fax email: bidgregs@co.clark.oh.us Garsteld Building 25 W. Pleasant St Springfield, OH 45506 Dana R. Booghier Director

August 10, 2005

Dear Applicant:

On August 18, 2005, the Board of Zoning Appeals will hold a PUBLIC HEARING at 10:00 a.m., in the County Commission Chambers of the County Office/Municipal Building, 50 E. Columbia Street, 5th Floor, Springfield, Ohio. The purpose of this hearing is to review your request for a Variance.

Your presence or a qualified representative is required. If your request is approved, there is a 30 day waiting period after the hearing.

If you or a representative are not present at the time of your hearing, your case will not be considered.

Sincerel

Kelly Daniels

Zoning Inspector

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To. Kelly Daniels

I bought the property at 1225 whaley as aggricultial, not knowing that I weeded a premit, I have built a 48x40 barn for hores's I am currently boarding my hores's and weed this land for them, I intend in the wear future of building a house.

13th 5 May -7-7-05 298.88 1225 Whaley Rd. 6.56 1024.85 1700 sq.ft. 257.30

Whaley RD.

- past All past 8 center

16 x 40 Horse stalls Concrete Concrete Concrete

